



PTO/SB/52 (04-04)

Approved for use through 04/30/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | |
|---|--|--|
| REISSUE APPLICATION DECLARATION BY THE ASSIGNEE | | Docket Number (optional) 18906IAR |
|---|--|--|

I hereby declare that:

The residence, mailing address and citizenship of the inventors are stated below.

I am authorized to act on behalf of the following assignee: Merck Frosst Canada & Co.

and the title of my position with said assignee is: _____

The entire title to the patent identified below is vested in said assignee.

| | |
|--------------------------------------|--------------------------------|
| Inventor <u>Wanda A. Cromlish</u> | Citizenship <u>Canadian</u> |
|--------------------------------------|--------------------------------|

| | |
|--|--|
| Residence/Mailing Address <u>Montreal, Canada</u> | |
|--|--|

| | |
|-------------------------------------|--------------------------------|
| Inventor <u>Brian P. Kennedy</u> | Citizenship <u>Canadian</u> |
|-------------------------------------|--------------------------------|

| | |
|--|--|
| Residence/Mailing Address <u>Kirkland, Canada</u> | |
|--|--|

 Additional Inventors are named on separately numbered sheets attached hereto.

| | |
|-----------------------------------|--|
| Patent Number <u>5,543,297</u> | Date of Patent Issued <u>August 6, 1996</u> |
|-----------------------------------|--|

| | |
|--|--|
| Title of Invention <u>HUMAN CYCLOOXYGENASE-2 CDNA AND ASSAYS FOR EVALUATING CYCLOOXYGENASE-2 ACTIVITY</u> | |
|--|--|

I believe said inventor(s) to be the original and first inventor(s) of the subject matter which is described and claimed in said patent, for which a reissue patent is sought on the invention entitled:

HUMAN CYCLOOXYGENASE-2 CDNA AND ASSAYS FOR EVALUATING CYCLOOXYGENASE-2 ACTIVITY

the specification of which

 is attached hereto. was filed on Nov. 20, 2000 as reissue application number 09 /732,631and was amended on 11/20/2000; 8/30/2004; and 1/18/2005
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

 I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

 by reason of a defective specification or drawing. by reason of the patentee claiming more or less than he had the right to claim in the patent. by reason of other errors.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.175. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Additional Patentees

| PATENTEE | CITIZENSHIP |
|---|----------------------------|
| Gary O'Neill Dollard Des Ormeaux, Canada | Canadian |
| Philip J. Vickers Westborough, Massachusetts | Canadian and Great Britian |
| Elizabeth Wong Montreal, Canada | Canadian |
| Joseph A. Mancini Kirkland, Canada | Canadian |



PTO/SB/52 (04-04)

Approved for use through 04/30/2007. OMB 0651-0033
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | |
|--|--------------------------------------|
| REISSUE APPLICATION DECLARATION BY THE ASSIGNEE | Docket Number (Optional) 18906IAR |
|--|--------------------------------------|

At least one error upon which reissue is based is described as follows:

Claims 20 and 21 of the patent recite a system while the claims from which they depend recites a transformed host.

[Attach additional sheets, if needed.]

All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.

I hereby appoint:

Practitioners at Customer Number: 000210

OR

Practitioner(s) named below:

| Name | Registration Number |
|------|---------------------|
| | |
| | |
| | |
| | |

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Correspondence Address: Direct all communications about the application to:

Customer Number: 000210

OR

| | | | | |
|--|-----|-------|-----|--|
| <input type="checkbox"/> Firm or Individual Name | | | | |
| Address | | | | |
| Address | | | | |
| City | | State | Zip | |
| Country | | | | |
| Telephone | Fax | | | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.

Full name of person signing (given name, family name)
Donna L. Margiottto - Administrator, Patents

| | |
|---|------------------------------|
| Signature <i>Donna L. Margiottto</i> | Date <i>January 18, 2005</i> |
| Address of Assignee Merck & Co., Inc., P.O. Box 2000, 126 East Lincoln Avenue, Rahway, NJ 07065-0907 | |